



U.S. Environmental Protection Agency

Newton County Mine Tailings Site  
Newton County, Missouri

Region 7  
11201 Renner Rd  
Lenexa, KS 66219

Consent for Access to  
Perform Residential Sampling and Cleanup Activities

**PROPERTY ACCESS (To be completed by property owner)**

The U.S. Environmental Protection Agency (EPA) is requesting your help to sample the residential properties that have not been previously sampled at the Newton County Mine Tailings Superfund Site. Your cooperation is requested in giving EPA and its contractors access to your property. You will be provided the results of sampling. For further information and questions, please contact Jessica Evans, EPA On Scene Coordinator at 314-347-7097.

This written permission is given by me voluntarily and without threats or promises of any kind. By my signature I acknowledge that I am authorized to allow the access provided for herein.

**Printed Name of Property Owner Granting Access:** \_\_\_\_\_  
(Property Owner's Printed Name)

\_\_\_\_\_  
(Property Owner's Signature)

\_\_\_\_\_  
(Date)

*NOTE: This access agreement will be operable until all response actions are completed at this property. Sampling will not typically be scheduled in advance but sample analyses will be provided. Some delay in sampling can be expected once the access agreement is received by EPA.*

**PROPERTY INFORMATION**  
(To be completed by residential and/or property owner – Please Print)

Property Address: \_\_\_\_\_  
(CITY) (STATE) (ZIP)

County Where Property is Located: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_

Resident's Name (If not Owner): \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

Owner's Telephone Number - Home: \_\_\_\_\_ Alternate: \_\_\_\_\_

Is there a residential home on the property? \_\_\_\_ Yes \_\_\_\_ No

Are there children under 7 years old living at this property? \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ N/A \_\_\_\_ Unknown

How long have you owned the property? \_\_\_\_\_

Is there a well or spring used for drinking water on the property? \_\_\_\_\_

Has this property ever been identified under a different address? \_\_\_\_ yes \_\_\_\_ no (If yes, provide below)

**SEE SCOPE OF ACCESS TO CONDUCT ENVIRONMENTAL RESPONSE ACTIONS ON REVERSE SIDE**

## SCOPE OF ACCESS

The activities to be implemented by EPA under this agreement are pursuant to Section 104 of CERCLA, 42 U.S.C. 9604. EPA's right of access to the property in Section 104(e) of CERCLA, 42 U.S.C. 9604(e) provides entry for "determining the need for response or choosing or taking any response action under this title, or otherwise enforcing the provisions of this title."

Right of Entry. I am the owner, representative of the owner, or tenant of the property described above. I hereby consent to the United States Environmental Protection Agency and its authorized employees, contractors, and agents (EPA), entering, investigating, and/or sampling the described property, and conducting activities to respond to the release or threat of release of hazardous substances, pollutants, or contaminants at, on, and/or from, the property, in accordance with Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604.

Scope of Access. The investigation and/or response may include, but is not necessarily limited to, locating equipment and machinery on the property in preparation for, and in the course of, the investigation/response, collecting samples from the property, and implementing the response action.

Restoration of Property. I recognize that the performance of such actions may require some disturbance of the property and that EPA will attempt to minimize such disturbance, and that areas of disturbance will be restored as nearly as possible to prior condition by EPA, subject to the availability of appropriated funds.

Liability. I understand that EPA requires its contractors to maintain comprehensive vehicle liability insurance, and comprehensive general liability insurance for bodily injury, death, and loss or damage to property or third persons arising from their activities. I also understand that EPA's liability for damages to the property or injuries to persons which result from or are caused by its activities on the property shall be to the extent permitted by the Federal Tort Claims Act (28 U.S.C. §§ 1346(b), 2671 - 2680) and the Federal Employee's Compensation Act (5 U.S.C. §§ 8101 - 8151).

Term. The consent granted hereby will terminate upon EPA's notifying me that the environmental investigation/response is complete.